

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

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IOVATE HEALTH SCIENCES U.S.A.,  
INC., et al.

Plaintiffs,

v.

WELLNX LIFE SCIENCES INC., et al.

Defendants.

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C.A. No. 07-286 JJF

**STIPULATION AND PROPOSED ORDER AMENDING SCHEDULING ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for the parties, and subject to the approval of the Court, that the Scheduling Order (D.I. 32 and 71) is modified as follows:

1. Paragraph 3(a): All document production shall be completed by October 24, 2008. No additional document requests or contention interrogatories shall be served. All fact discovery shall be completed by November 21, 2008.

2. Paragraph 7: The Markman hearing has been scheduled by the Court for January 14, 2009. Opening *Markman* briefs shall be served and filed on December 10, 2008 and responsive *Markman* briefs shall be served and filed on December 19, 2008.

All other dates in the Scheduling Order remain the same.

YOUNG CONAWAY STARGATT & TAYLOR, LLP <i>/s/ Karen E. Keller</i>	MORRIS, NICHOLS, ARSHT & TUNNELL LLP <i>/s/ Mary B. Graham</i>
John W. Shaw (No. 3362) Karen L. Pascale (No. 2903) Karen E. Keller (No. 4489) The Brandywine Building, 17th Floor 1000 West Street Wilmington, Delaware 19801 (302) 571-6600 kkeller@ycst.com <i>Attorneys for Plaintiffs</i>	Mary B. Graham (No. 2256) Rodger D. Smith (No. 3778) James W. Parrett, Jr. (No. 4292) 1201 N. Market Street P.O. Box 1347 Wilmington, DE 19899 (302) 658-9200 mgraham@mnat.com <i>Attorneys for Defendants</i>

SO ORDERED this \_\_\_\_\_ day of August, 2008.

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UNITED STATES DISTRICT JUDGE